UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

E/CN.4/Sub.2/2002/34
8 August 2002

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion and
Protection of Human Rights
Fifty-fourth session
Agenda item 6

OTHER SPECIFIC HUMAN RIGHTS ISSUES*

Reservations to human rights treaties

Working paper preparatory to the submission of the expanded working paper by Françoise Hampson submitted in accordance with the Sub-Commission decision 2002/17

1. In its decision 1998/113, the Sub-Commission on the Promotion and Protection of Human Rights requested Ms. Françoise Hampson to prepare a working paper on the question of reservations to human rights treaties. A first working paper (E/CN.4/Sub.2/1999/28 and Corr.1) was submitted, identifying the issues raised by reservations to human rights treaties. In resolution 2001/17, the Sub-Commission entrusted Ms. Hampson with the task of preparing an extended working paper based on her working paper, as well as the comments made and discussions that took place at the fifty-first and fifty-second sessions of the Sub-Commission. The study was to avoid duplication with the work of the International Law Commission.

* In accordance with General Assembly resolution 53/208B, paragraph 8, this document is submitted late so as to include the most up-to-date information possible.

2. As a first step, a chart[1] of the six United Nations human rights treaties was prepared, which indicates which States have made reservations or interpretative declarations, whether reservations were with regard to normative or procedural provisions, whether any other States objected and, if so, whether that was on the grounds that the reservation/interpretative declaration was incompatible with the objects and purposes of the treaty. The chart is attached at annex (the chart has not been translated).

3. A study has also been made of the discussions in the treaty bodies, particularly in the context of the examination of State reports, and, where relevant, in the context of individual petitions. Some treaty bodies, but not all, discuss with State representatives the possibility of withdrawing or narrowing the scope of reservations.

4. The results of the study will be submitted to the Sub-Commission at its next session.

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[1] I should like to thank the following students for research assistance, under the direction of Basak Cali: Adlan Jamil Addou, Mehves Bingollu, Philip Dayle, Silvia Mercogliano, Veronica Kotek, Ms. Elizabeth Onyango, Ms. Frances Sheahan.

Charts of reservations to United Nations Human Rights Treaties

1. International Covenant on Economic, Social and Cultural Rights

2. (a) International Covenant on Civil and Political Rights

   (b) First Optional Protocol to the International Covenant on Civil and Political Rights

3. International Convention on the Elimination of All Forms of Racial Discrimination

4. Convention on the Elimination of All Forms of Discrimination against Women

5. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

6. Convention on the Rights of the Child

Reservation Charts

The Reservation Charts aim to map the reservations to major international human rights treaties. The Charts are updated until **February 2002** and the overall data is taken from the United Nations High Commissioner on Human Rights website.

Form column refers to the way in which the States have put reservations (i.e. reservation, declaration, understanding, or interpretative declaration).

Type column refers to the nature of the reservation and aims to indicate whether the reservation is normative or procedural. Reservations which aim to modify the normativity of the articles or the treaty as a whole are marked **N**. Reservations which modify the effect of the article or the treaty procedurally are marked **P.** In many cases whether the reservation modifies the reservation normatively or procedurally can be debatable in accordance with the ways in which the object and purpose of the treaty or the article is understood.

Substance column briefly summarises the content of the reservation.

Objection column indicates the number of states that have objected to the reservation.

Ground column explains the reasons for which the States have objected to reservations.

Against OP refers to the objections which are formulated as 'against the object and the purpose of the treaty'.

1. Reservations to International Covenant on Economic Social and Cultural Rights
Updated until 02/2002

ARTICLE	STATE	FORM	TYPE	SUBSTANCE	OBJECTION	GROUND
Article 1 Self Determination	Algeria	Declaration	N	Incompatible with UN Charter	Germany Portugal	Only understanding Against OP
	Guniea	Declaration	N	Incompatible with UN Charter		
	Romania	Reservation	N	Only under foreign domination		
	India	Declaration	N	Only under foreign domination	France Germany Netherlands	It is a reservation and weakens the right to self-determination.
	Bangladesh	Declaration	N	Only under foreign domination	France Sweden Germany Netherlands	It is a reservation and weakens the right to self-determination.
	UK	Declaration	N	In times of conflict UN Charter prevails		
	France	Declaration	N	In times of conflict UN Charter prevails		
	Thailand	Declaration	N	Vienna Declaration and Programme of Action definition valid		
Article 2(2) Non Discrimination	Bangladesh	Declaration	N	Equality of men and women is subject to Constit.	Germany France Netherlands Sweden Finland	It is a reservation and is against OP It is a reservation
	France	Declaration	N	In times of conflict UN Charter prevails		
	UK	Declaration	N	In times of conflict UN Charter prevails		
	Belgium	Declaration	N	Not applicable to foreigners		
	Monaco	Declaration	N	Not appliable to foreigners		
	Ireland	Reservation	N	For certain occupations Irish language is compulsory		
	Kuwait	Declaration	N	Subject to Kuwaiti Law	Germany	It is a reservation and is

					Italy Finland Norway Sweden	against the OP
Article 2(3) **Developing Countries**	Belgium	Declaration	N	Fair compensation is non-derogable		
	UK	Declaration	N	The list of territories are the develping countries		
Article 3 **Equality of men and women**	Bangladesh	Declaration	N	Equality of men and women are subject to Constit.	Germany France Netherlands Finlad Sweden	It is a reservation and is against OP
	Kuwait	Declaration	N	Subject to Kuwaiti law	Germany Italy Finland Norway Netherlands	It is a reservation and is against OP
Article 4 **Limitation on rights under domestic law**	India	Declaration	N	Will be applied in conformity with Constit.		
Article 6 Right to work	France	Declaration	N	Not applicable to access of aliens to employment		
	Monaco	Declaration	N	Not applicable to access of aliens to employment		
	UK	Reservation	N	Not precluding the impositions of restrictions based on place of birth		
Article 7 **Conditions of work**	Bangladesh	Declaration	N	Will be applied in accrodance with the Constit.	Germany France Netherlands Finland Sweden	It is a reservation and is against OP
7(a) Renumeration	Barbados	Reservation	N	Postpones the application of		

				equal pay for equal work		
	UK	Reservation	N	Postpones the application for equal pay for equal work		
7(c) Promotion	India	Declaration	N	Will be applied in accrodance with Constit.		
7(d) Holidays	Denmark	Reservation	N	Cannot comply at present		
	Japan	Reservation	N	Not bound by renumeration for public holidays		
	Sweden	Reservation	N	Not bound by renumeration for public holidays		
Article 8 Trade Unions	Algeria	Declaration	N	Will apply in accrodance with domestic law	Germany Portugal	Merely understanding It is a reservation and is against OP
	Bangladesh	Declaration	N	Will apply in accrodance with Constit.	Germany France Netherlands Finland Sweden	It is a reservation and is against OP
	China	Declaration	N	Application consistent with national law		
	Mexico	Declaration	N	Will apply in accrodance with Constit.		
	India	Declaration	N	Will apply in accordance with Constit.		
	Monaco	Declaration	N	Will apply in accrodance with Constit.		
	France	Declaration	N	Right to strike in accrodance with ESC		
	New Zealand	Reservation	N	Not compatible with national law		
8(1)b Federations	UK	Reservation	N	Does not apply in Hong Kong		
8(1)d Right to Strike	Japan	Reservation	N	Not bound when in contradiction with domestic law		
	Norway	Reservation	N	Will apply in accrodance with		

				domestic law		
	Netherlands	Reservation	N	Does not apply in Antilles		
	Trinidad and Tobago	Reservation	N	Reserve the right to impose restrictions		
	Kuwait	Reservation	N	Not bound by this article	Germany Italy Netherlands Norway	It is a reservation and is against OP
8(2) Restrictions	Monaco	Declaration	N	Restrictions include public enterprises		
	Japan	Declaration	N	Police includes fire service personnel		
	Trinidad and Tobago	Reservation	N	Reserve the right to impose restrictions		
Article 9 Social Security	France	Declaration	N	Does ot apply to access of aliens to employment		
	Monaco	Declaration	N	Does ot apply to access of aliens to employment		
	UK	Reservation	N	Application will be postponed in Cayman and Falklands		
	Kuwait	Declaration	N	Applies only to Kuwaiti citizens		
Article 10 Family	Bangladesh	Declaration	N	Progressive implementation		
	UK	Reservation	N	Application will be postponed in Salomon		
	UK	Reservation	N	Will postpone maternity paid leave in Bermuda and Falklands		
	New Zealand	Reservation	N	Will postpone paid maternity leave		
	Barbados	Reservation	N	Will postpone application of special protection of mothers during and after child birth		
	Kenya	Declaration	N	Present circumstances do not		

				render necessary the imposition by law		
Article 11 Adequate Standard of Living	France	Declaration	N	Does not apply to access of aliens to employment		
	Monaco	Declaration	N	Does not apply to access of aliens to employment		
Article 13 Right to Education	Bangladesh	Declaration	N	Progressive implementation	Germany Finland	Against OP
	France	Declaration	N	Does not apply to access of aliens to employment		
	Monaco	Declaration	N	Does not apply to access of aliens to employment		
	Malta	Declaration	N	Religious education is difficult to apply to any group other than Roman Catholics		
	Rwanda	Reservation	N	Will only apply in accrodance with the Constit.		
13(2) (a) Primary education	Barbados	Reservation	N	Will postpone the application		
	Madagascar	Reservation	N	Will postpone the application		
	Ireland	Reservation	N	Reserves the right to education at home		
	UK	Reservation	N	Will postpone application in Gilbert, Salomon and Tuvalu		
	Zambia	Reservation	N	Will postpone the application		
13(2)(b)(c) 2nd and higher education	Japan	Reservation	N	Not bound by 'intorduction to free education'		
Article 13(3)/(4) Liberty of parents	Algeria	Reservation	N	Not a limitation on government's right to organise the education system freely	Portugal Netherlands	It is a reservation and is against OP
Article 14 Plan of action for primary education	UK	Reservation	N	Will be postponed in Gilbert, Salomon and Tuvalu		
	Algeria	Declaration	N	Incompatible with UN Charter	Portugal,	It is a reesrvation and is against OP

					Germany	This is an understanding
	Guinea	Declaration	N	Incompatible with UN Charter		
	Romania	Reservation	N	Incompatible with UN Charter		
Article 26 Signature and Ratification	Afghanistan, Bulgaria, Guinea, Hungary, Mongolia, Russia, Romania, Syria, Ukraine, Viet Nam	Declaration	P	Should be open to all states/discriminatory		
General	Egypt	Declaration	N	Sharia is compatible with ICESCR		

2. a) Reservations to the International Covenant on Civil and Political Rights
Updated until 02/2002

ARTICLE	STATE	FORM	TYPE	SUBSTANCE	OBJECTION	GROUND
Article 1	Romania	Reservation	N	1(3) dependence of some territories is inconsistent with self determination.		
	India	Declaration	N	Self determination only to people under foreign domination.	France	Conditions not provided by the UN Charter. Not obstacle to entry into force.
	Thailand	Interpr. Declaration	N	1(1) "self-determination" interpreted as being compatible with that expressed in the Vienna Declaration and Programme of Action (1993).		
	UK of GB and NI	Declaration	N	Art. 103 UN Charter shall prevail in the		

				event of contrast with obligation under art. 1.		
Article 2	Belgium	Reservation	N	See art. 3		
	Australia	Reservation	N	2(2)+2(3) effect consistent with and subject to art. 2(2). *Withdrawn on 6.11.1984*	Netherlands	Consistent with and subject to art. 2(2) and not impairing obligations under 2(1).
	Austria	Reservation	N	See art. 19		
	Germany	Reservation	N	See art. 19		
	Kuwait	Interpr. declaration	N	2(1) subject to national law (existing)	Finland	It is a reservation and casts doubts as to the commitment of Kuwait to the object and purpose of the CCPR.
					Sweden	casts doubts as to the commitment of Kuwait to the object and purpose of the CCPR.
	Monaco	Reservation	N	2(1)+(2) subject to national law for Crown See also under art. 26		
	USA	Understanding	N	Subject to national law (existing) (distinctions rationally related to a legitimate governmental objective)	Finland	It is a reservation and is contrary to the object and purpose of the CCPR. No obstacle to entry into force.
					Sweden	It is a reservation and casts doubts on the commitment for the State to the

						object and purpose of the CCPR. Therefore inadmissible, but not obstacle to entry into force.
Article 3	Belgium	Reservation	N	Subject to national law (Royal powers only by males)		
	Kuwait	Interpr. Declaration	N	Subject to national law (existing)	Finland	It is a reservation, it is inadmissible, but not obstacle to entry into force.
					Sweden	casts doubts as to the commitment of Kuwait to the object and purpose of the CCPR.
	Liechtenstein	Reservation	N	Subject to national law (hereditary succession to the throne).		
	Monaco	Reservation	N	Subject to national Law (see art. 2)		
Article 4	France	Reservation	N	4(1) national law already meets the standard.		
	Trinidad and Tobago	Reservation	N	4(2) subject to Constitution	F.R. Germany, Netherlands	Incompatible with object and purpose of CCPR.
	USA	Understanding	N	4(1) "do not bar distinctions that may have a disproportionate effect upon persons of a particular status" but	Finland	It is a reservation and is contrary to object and purpose of CCPR, but no obstacle to entry into force.

				only those based "solely" on the listed grounds.		
					Sweden	It is a reservation and casts doubts on the commitment of the State to the object and purpose of CCPR. Therefore inadmissible, but not obstacle to entry into force.
Article 6	Thailand	Declaration	P/N	Subject to national law (existing)	Netherlands	It is a reservation and is incompatible with object and purpose of art. 6. No obstacle to entry into force.
	USA	Reservation	N	6(5) subject to national law (existing)	Belgium, Germany Italy, Netherlands, Norway, Portugal, Spain	Incompatible with provisions and intent of art. 6 and 4(2). No obstacle to entry into force.
					Denmark, Finland, France, F.R., Spain	Incompatible with object and purpose of CCPR, but no obstacle to entry into force. Also art. 4(2) (Finland, Germany)
					Sweden	Casts doubts on the commitment of Usa to the object and purpose of CCPR. Therefore

						inadmissible, but no obstacle to entry into force.
Article 7	Botswana	Reservation	N	Subject to Constitution	Denmark, France, Ireland, Netherlands, Norway, Portugal, Spain, Sweden	Object and purpose
	USA	Reservation	N	Subject to Constitution	Denmark, Netherlands, Norway, Spain	
					Finland	National law may not be invoked as a justification for the failure to perform an international obligation.
					F.R. Germany, Italy	Interprets it as a reference to art. 2 and therefore not affecting Usa obligations under CCPR.
					Portugal	Invoking national law not to fulfil an international obligation casts doubts as to the commitment of the State tow. CCPR and mines PIL. Not obstacle to entry into force.
					Sweden	Casts doubts as to the commitment of the State to object

						and purpose of CCPR. Therefore inadmissible, but no obstacle to entry into force.
Article 8	Kuwait			1(d) will be applied in accrodance with national law	Norway	"problematic" with object and purpose of CCPR but no obstacle to entry into force.
Article 9	Austria	Reservation	N/P	Deprivation of liberty pursuant to national law (existing).		
	France	Reservation	P/N	Subject to national law (disciplinary regime in the army)		
	Italy	Statement	N	"unlawful arrest or detention" interpreted in the light of 9(1).		
	India	Reservation	N	Subject to Constitution		
	Kuwait			Will be applied in accrodance with national law	Norway	"problematic" with object and purpose of he CCPR but no obstacle to entry into force
	Mexico	Interpr. Statement	P/N	9(9) already in national law.		
	Thailand	Interpr. Declaration	P/N	9(3) time for bringing the arrested to court not considered + possibility of extension. (national law existing)		
	USA	Understanding	N	9(5) entitlement to compensation may be		

				subject to national law		
Article 10	Australia	Reservation	N	10(2)(a) objective to be achieved progressively	Netherlands	Unable to evaluate the implications at the moment. Objections eventually at a later stage.
		Reservation	N	10(2)(b) and (3) "beneficial" upon the judgement of the competent authorities. *Partially withdrawn on 6.11.1984*	Netherlands	See *supra*
	Austria	Reservation	N	10(3) 2nd sentence: national legislation (existing).		
	Belgium	Reservation	N	10(2)(a) standard minimum rules for the treatment of prisoners by c. Of Min. of CoE: untried prisoners not in contact with convicted ones "against their will", yes if so request.		
		Reservation	P/N	10(3) in compliance with national law for "minors"- flexible measures for other juvenile offenders.		
	Denmark	Reservation	P/N	10(3) 2nd sentence: possibility of flexible arrangements		
	Finland	Reservation	P/N	10(2)+10 (3) possibility of flexible arrangements		

	Iceland	Reservation	N	10(2)(b) no absolute obligation		
	Ireland	Reservation	P/N	To be achieved progressively		
	Luxembourg	Reservation	N	10(3) subject to national law (existing).		
	Netherlands	Reservation	N	10(1) not bound		
	New Zealand	Reservation	N	10(2)(b) + 10(3) not if there is shortage of facilities + discretion of national authorities		
	Sweden	Reservation	N	10(3) reserves right not to apply with regard to segregation of juveniles from adults		
	Switzerland	Reservation	N	10(2) not unconditionally guaranteed		
	Trinidad and Tobago	Reservation	N	10(2)(b) + 10(3) no when there is lack of prison facilities		
	UK of GB and NI	Reservation	N	10(2)(b) +10 (3) lack of prison facilities + National discretion + geographical		
	USA	Reservation	N	10(2)(b)+10(3) subject to national law (discretion to treat juvenile as adults: it seems with reference to laws to be enacted and eventually already in force)		
		Understanding	N	10(2)(a) "exceptional		

				circumstances" mean dangerousness or waiver of right = does not diminish the goals of the penalty.		
Article 11	Congo	Reservation	N	Subject to national law (existing)	Belgium	Unnecessary, because national legislation is not in contrast with CCPR. Asks for withdrawal, given art. 4(2)
	UK of GB and NI	Reservation	N	Geographical		
Article 12	Austria	Reservation	N	12(4) national law (existing)		
	Botswana	Reservation	N	12 (3) subject to Constitution	Denmark, France, Ireland, Netherlands, Portugal, Spain, Sweden, Norway	Against OP
	Belize	Reservation	N	12(2) tax clearance certificates		
	Italy	Reservation	N	12(4) subject to Constitution (entry of some members of the House of Savoy)		
	Netherlands	Reservation	N	12(1)+12(2)+12(4) geographical		
	Switzerland	Reservation	N	12(1) national law for aliens (existing)		
	Trinidad and Tobago	Reservation	N	Subject to national law. (existing) (tax clearance certificates)		
	UK of GB and NI	Reservation	N	12(1) geographical		
		Reservation	N	12(4) subject to national law		

Article 13	France	Reservation	N	National legislation on entry of aliens (existing)		
	Iceland	Reservation	N	Subject to national law		
	Malta	Reservation	N	Cannot comply at present.		
	Mexico	Reservation	N	Subject to Constitution		
	Monaco	Reservation	N	subject to national law for foreigners		
	UK of GB and NI	Reservation	N	Geographical restrictions		
Article 14	Australia	Reservation	P	Administrative procedures for compensation *Partially withdrawn on 6.11.1984*		
	Austria	Reservation	P/N	Deprivation of liberty: see art. 9		
		Reservation	N	Publicity of trials: subject to national law		
		Reservation	P/N	14(3)(d) accused disturbing at trial is excluded.		
		Reservation	P/N	14(5) no right to review for acquittal reversed by higher court		
		Reservation	N	14(7) is not in conflict with national law allowing the reopening of a proceeding after a final acquittal or conviction		

	Barbados	Reservation	P/N	14(3)(d) free legal assistance: implementation cannot be guaranteed		
	Belgium	Reservation	N	14(1) subject to national law is already in conformity.		
		Reservation	N	14(5)no for persons convicted at second instance after acquittal at first instance or brought directly before a higher Tribunal		
	Belize	Reservation	P/N	See Barbados		
		Reservation	P/N	14(6) no compensation if difficulties in implementation		
	Denmark	Reservation	N	14(1) no binding as regards public hearings		
		Reservation	N	14(5)+14(7) not bound.		
	Finland	Reservation	P/N	14(7): not for fraudolent activities or later discovered evidence		
		Reservation	N	14(1) national law existing at the time. *Partially withdrawn on 1985*		
	France	Reservation	P/N	Subject to national law (see art. 9)		
		Reservation	N	14(5) limited exceptions.		

	Gambia	Reservation	P/N	Free legal assistance only for capital offences		
	Germany	Reservation	P/N	14(3)(d) upon decision by the national court		
		Reservation	N	14(5) first appeal does not have to be necessarily granted if first conviction was by appellate court + not for minor offences if not imprisonment by lower court).		
	Guyana	Reservation	P/N	14(3)(d) no guarantee for comprehensive legal aid scheme		
		Reservation	P/N	14(6) not possible to implement at the moment.		
	Ireland	Reservation	P	14(6) compensation by administrative procedure rather than "pursuant to specific legal provisions". *Withdrawn in 1994.*		
		Reservation	N	Minor offences against military law		
	Iceland	Reservation	N	14(7) subject to national legislation		
	Italy	Reservation	N	14(3) Is deemed to be already compatible with national legislation		
		Reservation	N	14(5) subject to National legislation		

				for certain proceedings		
	Korea	Reservation	N	14(5) subject to national law (legislation and constitution) *Partially withdrawn in 1993.*	Czechoslovakia	Incompatible with object and purpose of CCPR + contrary to PIL (internal law is not a justification not to perform a treaty).
					Netherlands	Contrary to object and purpose of CCPR but not obstacle to entry into force.
					UK of GB and NI	Not able to take a position at present.
		Reservation	N	14(7) national law. *Withdrawn in 1993.*	Netherlands	(1991) Contrary to object and purpose of CCPR but not obstacle to entry into force.
					UK of GB and NI	Not able to take a position at present.
	Liechtenstein	Reservation	N	Subject to national law (existing)		
	Luxembourg	Reservation	N	14(3)+14(5) subject to national law (existing).		
	Malta	Reservation	N	14(2) subject to national law for burden of proof (existing)		
		Reservation	P/N	14(6) not possible to implement		
	Monaco	Reservation	N	Subject to national law :limited		

				exceptions		
	Netherlands	Reservation	P/N	14(3)(d) national law (existing): accused removed from Court room in the interest of the conduct of proceeding		
		Reservation	N	14(5) subject to national law)		
		Reservation	N	14(7) subject to national law		
	New Zealand	Reservation	N	14(6) subject to national law		
	Norway	Reservation	N	14(5)+14(7) national legislation existing (N.b. on 1995 they declared to have changed the criminal procedure and that that the previous reservation should have applied only to some listed exceptional circumstances)		
	Sweden	Reservation	N	14(7) reserves right not to apply		
	Switzerland	Reservation	P/N	14(1) subject to national law + interpretation of the wording "fair trial"		
		Reservation	P/N	14(3) (d) + 14(3)(f) the beneficiary of free assistance of an interpreter does not exempt the		

				beneficiary to pay the costs.		
		Reservation	P/N	14(5) subject to national law (existing)		
	Trinidad and Tobago	Reservation	N	14(5) subject to National law (existing)		
		Reservation	P/N	14(6) not possible to implement at the moment.		
	UK of GB and NI	Reservation	P/N	14(3)(d) difficulties in implementing due to shortage of practitioners in some territories		
	USA	Reservation	N	14(4) subject to national law (not clear, but eventually also to be enacted)		
		Understanding	N	14(6) entitlement to compensation may be subject to the requirements of national law(eventually to be enacted).		
		Understanding	N	14(3)(b) and 14(3)(d) No counsel of his own choice if financially able to retain alternative counsel or imprisonment is not imposed + no right to choose him.		
	Venezuela	Reservation	N	14(3)(d) subject to Constitution		

Article 15	Argentina	Understanding	N	15 2nd part: subject to Constitution		
	Germany	Reservation	N	Subject to national law(to be enacted).		
	Italy	Reservation	P/N	15(1) last sentence: not to final convictions		
	Trinidad and Tobago	Reservation	P/N	15(1) not to final convictions. *Communication on 31 January 1979,T and T. Confirmed that constituted an interpretative declaration which did not aim to exclude nor modify the legal effect of the provisions of the Covenant.*		
	USA	Reservation	N	15(1) 3rd sentence: subject to national law	Sweden	Casts doubts on the commitment of the State to the object and purpose of the Covenant. Therefore, inadmissible but not obstacle to entry into force.
Article 17	Australia	Reservation	N	No prejudice to national laws to be enacted. *Withdrawn on 6.11.1984.*		
	Liechtenstein	Reservation		Subject to national law with regard to aliens		
Article 18	Mexico	Interpr. Statement	N	National law is		

				already in compliance.		
Article 19	Australia	Reservation	N	Consistent with art. 20. If already legislated on the matter according to the public order, no further legislative provision on matters covered by artt. 19, 20, 21, 22). *Withdrawn on 6.11.1984.*		
	Austria, Germany	Reservation	N	artt. 19, 21, 22 and 2 (1) applied provided that are not in conflict with restrictions under art. 16 ECHR).		
	France	Declaration	N	in compliance with artt. 10,11,16 ECHR. *Withdrawn on 22.03.1988.*		
	Ireland	Reservation	N	19(2) reserves the right to confer monopoly or require licenses.		
	Italy	Reservation	N	19(3) subject to national law (existing)		
	India	Reservation	N	19(3) subject to Constitution		
	Luxembourg	Reservation	N	19(2) no limit for requiring licenses for broadcasting (national law enacted and to be enacted).		
	Malta	Reservation	N	Subject to Constitution, existing		

				law) and ECHR		
	Monaco	Reservation	N	Subject ot national law		
	Netherlands	Reservation	N	Subject to national law		
	USA	Declaration	N	5(2) has particular relevance to 19(3).		
Article 20	Australia	Reservation	N	No further legislation other than the existing one.		
	Belgium	Declaration	P/N	no obliged to enact legislation for art. 20 (1) + art. 20 must be read in context with 18,19,21,22 ICCPR and UDHR).		
	Denmark	Reservation	N	20(1) freedom of expression.		
	Finland	Reservation	N	20(1) in favour of propaganda		
	France	Declaration	N	"war" as in contravention of int.law + French legislation is adequate.		
	Iceland	Reservation	N	20(1):it limits freedom of expression		
	Ireland	Reservation	P/N	Enactment of national legislation postponed		
	Liechtenstein	Reservation	N	No further legislation. Eventually, legislation on accession to CERD. *Withdrawn on 28.4.2000.*		
	Luxembourg	Reservation	P/N	20(1) no obligation to enact legislation.		

		Reservation	N	Interpreted in the light of 19, 20, 21, 22 ICCPR and 18,19,20 UDHR.		
	Malta	Reservation	P/N	Interpreted in the light of 21 and 22 + right not to introduce legislation		
	Netherlands	Reservation	N	20(1) not bound		
	New Zealand	Reservation	P/N	No further legislation other than the national one existing.		
	Sweden	Reservation	N	20(6):reserves the right not to apply the provision		
	Switzerland	Reservation	N	Right not to adopt further measures than the existing ones		
	Thailand	Interpr. Declaration	N	Only war in contravention of int.law		
	UK of GB and NI	Reservation	N	Consistently with art. 19 and 21 + No further legislation + national law existing		
	USA	Reservation	N	Subject to Constitution: right of free speech		
Article 21	France	Declaration	N	See art.19		
	Austria	Reservation	N	See art. 19		
	Germany	Reservation	N	See.art.19		
	Monaco	Reservation	N	Subject to national law (existing and to be enacted- grounds for restrictions)		
	Trinidad and	Reservation	N	Right to impose		

	Tobago			"lawful and or reasonable" restrictions		
Article 22	France	Declaration	N	See art.19		
	Austria	Reservation	N	See art. 19		
	Germany	Reservation	N	See.art.19		
	Malta	Reservation	N	Subject to national law (existing)		
	Monaco	Reservation	N	Subjeect to national law (existing and to be enacted – grounds for limitations)		
	New Zealand	Reservation	N	Subject to national law (existing)		
	Republic of Korea	Reservation	N	Subject to national law (statutes and Constitution)	Czechoslovakia	same as under art. 14 par. 5 and 7.
					F.R.Germany	interprets as not limiting the obligations undertaken by Korea.
					Netherlands	Incompatible with object and purpose of CCPR but not obstacle to entry into force.
					UK of GB and NI	Not able to take a position at present.
Article 23	Belgium	Declaration	P/N	23(2) the State can regulate the right		
	Ireland	Reservation	N	23(4) no right to obtain dissolution of marriage. *Withdrawn in 1998.*		

	Israel	Reservation	N	matters of personal status are governed by the religion of the parties concerned		
	Korea	Reservation	N	23(4) subject to national law(statutes and constitution). *Withdrawn in 1991.*	UK of GB and NI	Not able to take a position at present.
	Kuwait	Reservation	N	Subject to national law based on Islamic law	Finland	Inadmissible, but no obstacle to entry into force
					Sweden	casts doubts as to the commitment of Kuwait to the object and purpose of the CCPR.
	UK of GB and NI	Reservation	N	23(3) customary marriages in the Solomon Islands.		
Article 24	Liechtenstein	Reservation	N	24(3) subject to National law for nationality (existing).		
	UK of GB and NI	Reservation	N	24(3) future national legislation.		
Article 25	Australia	Reservation	N	25(b) subject to national law for defining electoral divisions. *Withdrawn on 6.11.1984.*		
	Belgium	Reservation	N	See art.3		
	Kuwait	Reservation	N	Not applicable to police or armed forces		
		Reservation	N	25(b) national law shall prevail: no vote to women.	Finland	Recalls objection made to reservation by Kuwait to art.7 CEDAW.

						General reservations undermine PIL, and are inadmissible. No obstacle to entry into force.
					Sweden	Casts doubts as to the commitment of Kuwait to the object and purpose of the covenant.
	Mexico	Reservation	N	25(b) National law: ministers of religion do not vote.		
	Monaco	Reservation	N	National law + see art. 26.		
	Netherlands	Reservation	N	Geographical. *Withdrawn on 20.12.83.*		
	Switzerland	Reservation	N	25(b) subject to national law (existing)		
	UK of GB and NI	Reservation	N	25(b)+25 (c) geographical. *25 (c) withdrawn on 1993.*		
Article 26	Austria	Reservation	N	Does not exclude a different treatment of Austrians and aliens, "as is also permissible under art. 1 (2) ICERD		
	Liechtenstein	Reservation	N	Equality only in connection with the rights under ICCPR		
	Monaco	Reservation	N	Art. 26 + 2(1) +25: Subject to national		

				Law (existing) permitting the difference of treatment between Monegasque and foreign nationals		
	Switzerland	Reservation	N	Only in connection with other rights under CCPR.		
	Trinidad and Tobago	Reservation	N	Subject to national law (existing): property held by aliens	Finland	Contrary to the object and purpose of the CCPR, but no obstacle to entry into force.
	USA	Understanding	N	Subject to national law (existing and eventually to be enacted): distinctions rationally related to a legitimate governmental objective.	Sweden	It is a reservation and casts doubts on the commitment of the State to the object and purpose of CCPR. Therefore, is inadmissible but not obstacle to entry into force.
					Finland	It is a reservation and is contrary to the object and purpose of the CCPR.
Article 27	France	Declaration	N	Not applicable: Contradicts with Constitution	Germany	Declaration on 23.4. 1982: interprets the French declaration as meaning that the Constitution of the French Republic already guarantees

						these rights.
Article 47	USA	Declaration	N	Only in accordance with international law.		
Article 48	Guinea, Romania	Reservation	N	48(1) contrary to universality of international treaties and democratisation of international relations		
	Russian Federation, Ukraine	Declaration	N	48(1) inconsistent with sovereign equality of States		
Article 50	Australia	Reservation	N	subject and consistent with art. 2 (2). *Withdrawn on 6.11.1984*	Netherlands	Consistent with and subject to art. 2(2) and not impairing obligations under 2(1).

GENERAL RESERVATIONS

STATE	FORM	TYPE	SUBSTANCE
Australia	Declaration	P/N	Federal constitutional system with powers distributed between the Commonwealth and the constituent States. Implementation on the basis of their respective constitutional powers.
China	Statement	P/N	The signature by Taiwan authorities on 1967 is nul and void.
France	Statement	N	Art. 103 UN Charter.
UK of GB and NI	Reservation	N	To members of and persons serving with the armed forces of the Crown and to persons lawfully detained in penal establishments of whatever character, specific laws in the public interest.
	Reservation	N	Geographical: no CCPR in Southern

			Rhodesia.
USA	Understanding	P/N	Federal system and allocation of powers therein.
	Understanding	P/N	Art. 1-27 CCPR are not self executing.

2. b) Reservations to the First Optional Protocol to the International Covenant on Civil and Political Rights
Updated until 02/2002

ARTICLE	STATE	FORM	TYPE	SUBSTANCE	OBJECTION	GROUND
Article 1 Competence of the Human Rights Committee to receive communications from individuals	Chile	Declaration	P	Competence applies for situations, events, cases, omissions, acts, occurring or decisions being taken after the entry into force date for Chile		
	Croatia	Declaration	P	Competence after the entry into force date		
	El Salvador	Reservation	P	Competence after the entry into force date		
	France	Declaration	P	Competence after the entry into force date		
	Germany	Reservation	P	Competence after the entry into force date		
	Guyana	Declaration	N	No competence of HRC for a prisoner under death sentence, related acts or decisions concerning	France	Procedure followed is a breach of Article 12 and violation of the principle

				death penalty	Germany Netherlands Spain Finland Sweden	of good faith and incompaticle with the rule of *pacta sunt servanda* Against OP/ prodecur followed is a breach of the rules of the laws of treaties that prohibit formulation of reservations after ratification Against OP/ procedure is in violation of the law of the treaties
	Malta	Declaration	P	Competence after the entry into force date		
	Russian Federation	Declaration	P	Competence after the entry into force date		
	Slovenia	Declaration	P	Competence after the entry into force date		
	Sri Lanka	Declaration	P	Competence after the entry into force date		
	Trinidad and Tobago	Reservation	N	No competence of HRC for a prisoner under death sentence, related to acts or decisions concerning death penalty **(Trinidad and Tobago denounced the Protocol on 27.03.2000 with effect from 27.06.2000)**	Denmark Norway Netherlands Germany Sweden Ireland Spain France Italy	Against OP/ procedure is in violation of the law of the treaties
	Venezuela	Reservation	N	HRC doe not have competence for communications made by offenders who committed offences against res		

				publica and tried in absentia		
Article 5(2)	Austria	Reservation	P	Communications which have been examined by the European Commission on Human Rights cannot be accepted		
	Croatia	Declaration	P	No competence for matters which have been examined under another international procedure		
	Denmark	Reservation	P	No competence for matters which have been examined under another international procedure		
	El Salvador	Reservation	P	No competence for matters which have been examined under another international procedure		
	France	Declaration	P	No competence for matters which have been examined under another international procedure		
	Germany	Reservation	P	No competence for matters which have been examined under another international procedure		
	Iceland	Reservation	P	No competence for matters which have been examined under another international procedure		
	Ireland	Reservation	P	No competence for matters which have been examined under another international procedure		
	Italy	Reservation	P	No competence for matters which have been examined under another international procedure		
	Luxembourg	Declaration	P	No competence for matters which have been examined under another international procedure		
	Malta	Declaration	P	No competence for matters which		

				have been examined under another international procedure		
	Norway	Reservation	P	No competence for matters which have been examined under another international procedure		
	Poland	Reservation	P	No competence for matters which have been examined under another international procedure		
	Romania	Declaration	P	No competence for matters which have been examined under another international procedure		
	Slovenia	Declaration	P	No competence for matters which have been examined under another international procedure		
	Spain	Reservation	P	No competence for matters which have been examined under another international procedure		
	Sri Lanka	Declaration	P	No competence for matters which have been examined under another international procedure		
	Uganda	Reservation	P	No competence for matters which have been examined under another international procedure		

3. Reservations to the Convention Against Torture
Updated until 02/2002

ARTICLE	STATE	FORM	TYPE	SUBSTANCE	OBEJECTIONS	GROUND
Article 1- Definition of Torture	Botswana	Reservation	N	Definition of torture as in Constitution	Denmark Norway Sweden	Against OP
	Luxembourg	Interpretative Declaration	N	"lawful sanctions" excluded from torture definition, taken to mean those accepted in national and international law		
	Netherlands	Interpretative Declaration	N	"lawful sanctions" must include those lawful in both national *and* international law		
	USA	Understandings	N	1.Mental pain as meaning prolonged mental harm due to intentional or threatened infliction of severe pain, suffering or death or of administering mind altering substances. 2.Has to be acts while in the offenders custody or physical control. 3.Sanctions: judicially imposed sanctions or enforced by US law within object and purpose of Convention, yet non-compliance with legal procedures is not torture per se. 'acquiescence': public official has to be aware of torture before it takes place	Netherlands	Restricts scope of torture definition / diminishes continuous responsibility of public officials for behaviour of subordinates
Article 2 –non-derogation, order from public official no justification	Cuba	Declaration	*N*	"deplores" inclusion of art 2(1) in CAT after adoption of GA Res. 1514		

Article 3-non-refoulement	***Germany***	Declaration	N	Domestic law in Germany in conformity of the provisions		
	USA	Understanding	N	"substantial grounds for believing" that he would be "in danger of being tortured" interpreted as "it is more likely than not that he would be tortured."	Germany	Obligation from CAT not touched by understanding
Article 5 – establishing jurisdiction	Austria	Declaration	P	Establishing Jurisdiction only where other jurisdictions not able to comply		
Article 14-compensation	Bangladesh	Declaration	N	Application in consonance with domestic law	Finland France Germany Netherlands Spain Sweden	Against OP / invoking national law is not a justification / content of declaration not specified
	New Zealand	Reservation	N	Right to compensation to victims at discretion of Attorney General of New Zealand.		

	USA	Understanding	N	Provision of private action for damages is the responsibility of State Party within whose jurisdiction the torture took place.	Germany	Obligation of CAT not touched by understanding
Article 15- inadmissibility of statements obtained by torture	Austria	Declaration	P	Legal basis of inadmissibility of statements resulting from torture		
Article 16 Prevention of torture	USA	Reservation	N	"cruel, inhuman or degrading treatment or punishment" interpreted along domestic definition of "cruel, inhumane treatment or punishment"	Germany Finland, Netherlands Sweden	Obligation from CAT not touched by reservation Against OP / content not specified
Article 20 Systematic torture	Afghanistan	Declaration	P	Does not recognise authority of Committee		
	Belarus China Israel Kuwait Saudi Arabia	Reservation	P	Does not recognise competence of Committee		
	Cuba	Declaration	P	Strict compliance with consent when applying para. 1-3		
	Indonesia	Declaration	P	Para 1,2 and 3 to be implemented with strict compliance with the principles of sovereignty and territorial integrity of states		
	Morocco	Declaration	P	Does not recognise competence of Committee / not bound by para 1.		
	Poland	Reservation	P	Not bound		

Article 21 Inter-State complaint	Qatar	Reservation	N	General reservation on competence of Committee		
Article 22 Communications by individuals	Qatar	Reservation	N	General reservation on competence of Committee		
Article 30 Dispute settlement	Afghanistan	Declaration	P	Not bound / consent from all parties required		
	Bahrain China France Israel Kuwait Monaco Poland Saudi Arabia Turkey	Reservation	P	Not bound		
	Chile Panama	Declaration	P	Not bound		
	Cuba	Declaration	P	Dispute settlement by negotiation through diplomatic channels		
	Ghana	Declaration	P	Consent of all parties required		
	Indonesia	Reservation	**P**	Not bound / consent of all parties required		
	South Africa	Declaration	P	Recognises competence of ICJ to settle disputes		
	USA	P Reservation	P	Not bound by art. 30(1) but reserves right to follow this procedure for arbitration.		
Convention in General	Chile	Declaration	N	Where CAT provisions incompatible with Inter-American Convention to Prevent and Punish Torture, the latter prevails	UK	Reservation not applicable to UK, as UK not party to Inter-American Convention
	Ecuador	Reservation	N	Will not permit extradition of its		

				nationals according to national laws		
	Quatar	Reservation	N	Reserve on any interpretation of provisions incompatible with Islamic law and religion	Denmark, Finland, France, Germany, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, UK	Against OP / invoking national law is not a justification / content not specified
	USA	Understanding Understanding Declaration	N/P	CAT doesn't prevent the carrying out of the death penalty as it is not prohibited in international law Implementation by US, local and state governments, depending on jurisdiction Articles 1-16 not self-executing		

4. Reservations to the Convention on the Elimination of All Forms of Discrimination against Women
Updated until 02/2002

ARTICLE	STATE	FORM	TYPE	SUBSTANCE	OBJECTION	GROUND
Article 1 Definition	Liechtenstein	Reservation	N	Application subject domestic law/Constitution		
	UK	Reservation	N	No amendment to provide more favorable treatment to women than men		
Article 2 Policies	Algeria	Reservation	N	Application subject to domestic law	Germany Sweden Netherlands Denmark Norway Portugal	Against OP
2(a)	Bahamas	Reservation	N	Not bound		

	Bangladesh	Reservation	N	Not bound/subject to Islamic law (Sharia)	Germany Mexico Netherlands Sweden	Against OP
2(f)	DPR of Korea	Reservation	N	Not bound	Austria Germany Netherlands Spain Sweden	Against OP
	Egypt	Reservation	N	Application subject to Islamic law	Germany Sweden Netherlands	Against OP
2(f) and 2(g)	Iraq	Reservation	N	Not bound	Mexico Sweden Netherlands Germany	Against OP
	Lesotho	Reservation	N	Application subject to domestic law	Finland Netherlands Denmark Norway	Against OP
	Libya	Reservation	N	Implementation according to Islamic law	Denmark Finland Germany Mexico Netherlands Norway Sweden	Against OP
	Morocco	Declaration	N	Application subject to Islamic law and no effect on throne succession	Netherlands	Against OP
	Niger	Reservation	N	Application subject to domestic law in respect of succession and custom	Denmark Finland France Netherlands Norway	Against OP

2(d) and 2(f)	New Zealand	Reservation	N	Customs might be inconsistent	Mexico Sweden	Against OP
	Singapore	Reservation	N	Subject to domestic law with regards to minorities, religious and personal laws	Denmark Finland France Netherlands Norway	Against OP
	UK	Reservation	N	No measures to provide favorable treatment to women		
Article 5 Social and Cultural Patterns and Family Education						
5 (b)	France	Declaration	N	Subject to ICCPR, ECHR and domestic law		
5(a)	India	Declaration	N	Subject to domestic law and policy of India	Netherlands	Against OP
5(a)	Malaysia	Reservation	N	Subject to domestic law and Sharia	Finand Norway Denmark Germany Netherlands	Against OP
5(a)	Niger	Reservation	N	Until modification of laws subject to custom	Denmark Finland France Sweden Norway	Against OP
5(b)	Niger	Declaration	N	Interpretation according to the ICCPR and custom	Finland France Sweden Norway	Against OP
5(a)	New Zealand	Reservation	N	Application subject	Mexico	Against OP

				to customs	Sweden	
Article 7 Political and Public Life	Australia	Declaration	N	Does not apply to combat and combat related duties		
7(b)	Israel	Reservation	N	Does not apply to judges in religious courts/ subject to domestic law		
7(a)	Kuwait	Reservation	N	Does not apply to Electoral Act/ subject to domestic law	Austria Belgium Denmark Finland Netherlands Norway Portugal Sweden	Against OP
	Luxembourg	Reservation	N	Shall not affect the provision of the Constitutional right of the Crown		
7(b)	Malaysia	Reservation	N	Subject to Islamic law fro the appointment of certain public officials	Finland Netherlands	Against OP
7 (a)	Maldives	Reservation	N	Subject to domestic law	Denmark Germany Norway	Against OP
	New Zealand	Reservation	N	Armed forces are subject to domestic law		
7 (b)	Switzerland	Reservation	N	Armed forces are subject to domestic law		
Article 9 Nationality			N			

9(2)	Algeria	Reservation	N	Subject to domestic law	Denmark Germany Netherlands Norway Portugal Sweden	Against OP
9(2)	Bahamas	Reservation	N	Not bound		
9(2)	DPR of Korea	Reservation	N	Not bound	Austria Netherlands Germany Spain Sweden	Against OP
9(2)	Egypt	Reservation	N	Nationality from father subject to domestic law	Germany Mexico Netherlands Sweden	Against OP
	France	Declaration	N	Interpretation subject to nationality code		
9(1) and (2)	Iraq	Reservation	N	Not bound	Mexico Netherlands Germany Sweden	Against OP
9(2)	Jordan	Declaration	N	Not bound	Sweden	Against OP
9(2)	Kuwait	Reservation	N	Subject to domestic law	Finland Netherlands Denmark Belgium Austria Portugal Norway Sweden	Against OP
9(2)	Lebanon	Reservation	N	Enters reservation	Austria Denmark Netherlands Sweden	Against OP

9(2)	Malaysia	Declaration	N	Enters reservation/ will review if domestic law is amended	Denmark Germany Finland France Norway	Against OP
9(2)	Morocco	Reservation	N	Subject to domestic law	Netherlands	Against OP
9(2)	Saudi Arabia	Reservation	N	Not bound	Austria Denmark Finland France Germany Ireland Spain Portugal Sweden Norway UK Netherlands	Against OP
9(2)	Tunisia	Reservation	N	Subject to domestic law	Germany Netherlands Sweden	Against OP
9(1)	Turkey	Declaration	N	Is not in conflict with domestic law since the purpose of the provisions is to prevent statelessness		
	UK	Reservation	N	Subject to domestic law (temporary or transition provisions)		
Article 11 Employment	Australia	Reservation	N	Not in a position to take measures/ maternity leave subject to domestic		

				law		
11(1)	Malta	Reservation	N	Interpretation according to domestic law		
11(2) (b)	New Zealand	Reservation	N	Reserves		
11(1)	Singapore	Reservation	N	Interpretation according to domestic law	Finland Netherlands Norway Denmark Sweden	Against OP
11(2)	UK	Reservation	N	Subject to domestic law		
Article 13 Economic and Social Life						
	Ireland	Reservation	N	Subject to domestic law		
	Malta	Reservation	N	Subject to domestic law		
	UK	Reservation	N	Subject to domestic law		
Article 14 Rural Women						
14(2) (c) and (h)	France	Reservation	N	Subject to interpretation		
Article 15 Equality before the law						
15(4)	Algeria	Reservation	N	Interpretation not contra to domestic law	Germany Norway Netherlands Sweden Portugal Denmark	Against OP
15(2) and (3)	Belgium	Reservation	N	Application shall not affect domestic		

				law		
15(4)	Jordan	Declaration	N	Not bound	Sweden	Against OP
	Malta	Reservation	N	Until domestic law is amended enters reservation		
15(4)	Morocco	Declaration	N	Subject to compatibility with domestic law	Netherlands	Against OP
15(4)	Niger	Reservation	N	Binding if the provision applies to married women. Subject to domestic law and custom	France Netherlands Denmark Finland Sweden Norway	Against OP
15(2)	Switzerland	Reservation	N	Application subject to (interim) domestic law		
15(4)	Tunisia	Declaration	N	Interpretation nor contra to domestic law	Germany Netherlands Sweden	Against OP
15(3)	UK	Reservation	N	Interpretation subject to domestic law		
15(2)	UK	Declaration	N	Interpretation subject to domestic law		
Article 16 Marriage and Family Relations	Algeria	Reservation	N	Should not conflict with domestic law	Germany Denmark Netherlands Norway Portugal Sweden	Against OP
16(1) (h)	Bahamas	Reservation	N	Not bound		
16(1) (c)	Bangladesh	Reservation	N	Not bound; subject to Sharia law	Germany Netherlands Mexico	Against OP

					Sweden	
	Egypt	Reservation	N	Subject to Sharia law	Germany Netherlands Mexico Sweden	Against OP
16(1) (g)	France	Reservation	N	Reservation to the right to choose family name		
16(1)	India	Declaration	N	Subject to domestic law in accordance with the principle of non-interference in communities	Netherlands	Against OP
16(2)	India	Declaration	N	Not practical in India		
	Iraq	Reservation	N	Subject to Sharia law	Sweden Netherlands Mexico Germany	Against OP
16(1) (d) and (f)	Ireland	Reservation	N	Understanding according to domestic law		
	Israel	Reservation	N	Religious communities are regulated in accordance with domestic law		
16(1) (c) (d) and (g)(	Jordan	Declaration	N	Not bound	Sweden	Against OP
16(1) (f)	Kuwait	Reservation	N	Subject to domestic law	Austria Belgium Denmark Finland Netherlands Norway Portugal	Against OP

					Sweden	
16(1) (c) (d) (f) and (g)	Lebanon	Reservation	N	Enters reservation	Austria Denmark Netherlands Sweden	Against OP
16(1) (c) and (d)	Libya	Reservation	N	Subject to Sharia law	Denmark Finland Mexico Sweden Netherlands Norway	Against OP
16(1) (g)	Luxembourg	Reservation	N	Shall not effect the right to choose family name		
16(1) (a) and 16(2)	Malaysia	Declaration	N	Subject to domestic law (marriage age for women 16, for men 18)	Denmark Finland France	Against OP
	Maldives	Reservation	N	Subject to Islamic law	Finland Germany Denmark Austria Canada Netherlands Norway Portugal Sweden	Against OP
16(1) (e)	Malta	Reservation	N	Subject to domestic law with regards to abortion		
	Malta	Reservation	N	Until the amendment of the legislation not bound by article 16		
	Morocco	Reservation	N	Not bound/ Subject to Sharia	Netherlands	Against OP

16(1) (c), (g) and (h)	Niger	Reservation	N	Contrary to existing customs and doemstic law	France Netherlands Denmark Finland Sweden Norway	Against OP
16(1) (g)	Republic of Korea	Reservation	N	Not bound	Germany Mexico Netherlands Sweden	Against OP
	Singapore	Reservation	N	Subject to domestic law	Finland Netherlands Norway Denmark Sweden	Against OP
16(1), (g) and (h)	Switzerland	Reservation	N	Subject to interim domestic law		
16(n)	Thailand	Reservation	N	Not bound	Germany Mexico Netherlands Sweden	Against OP
16(1) (c), (d) and (f)	Tunisia	Reservation	N	Not bound	Germany Netherlands Sweden	Against OP
16 (1) (g) and (h)	Tunisia	Reservation	N	Must not conflict with domestic law	Germany Netherlands Sweden	Against OP
16 (1) (f)	UK	Reservation	N	Subject to domestic law		
Article 29	Algeria Indonesia Morocco Niger Tunisia	Reservation	P	Not bound by 29(1) Express mutual consent of all parties needed		
	Argentina Bahamas	Reservation	P	Not bound by 29(1)		

	Brasil DPR of Korea Egypt France El Salvador Ethiopia India Iraq Saudi Arabia Lebanon Mauritius Myanmar Pakistan Singapore Kuwait Thailand Vietnam Trinidad and Tobago Turkey Yemen Venezuela					
	China Israel Jamaica	Declaration	P	Not bound by 29(1)		
	Cuba	Reservation	P	Disputes are to be resolved through diplomatic channels		
General	Chile	Declaration	N	Some provisions not compatible with national law		
	France	Declaration	N	Preamble is debatable (para 11)		
	Germany	Declaration	N	Para 11 of Preamble will be interpreted according to right to		

				self-determination		
	Lesotho	Declaration	N	No legislation if incompatible with Constitution	Denmark Finland Netherlands Norway	General reservation and against OP
	Mauritania	Reservation	N	Subject to Sharia and Constitution	UK	General reservation and against to OP
	Mexico	Declaration	N	Subject to resources and domestic procedures		
	Netherlands	Declaration	N	Paras 10 and 11 of Preamble/ political consideration		
	Pakistan	Declaration	N	Accession to CEDAW is subject to Constitution		
	Saudi Arabia	Reservation	N	Not bound if in conflict with Islamic law	Austria Denmark Finland France Germany Ireland Spain Portugal Sweden Netherlands Norway UK	General/Against OP
	Singapore	Reservation	N	On entry into force provisions not covered by domestic law will be applied	Denmark Netherlands Sweden Finland Norway	General/Against OP
	Spain	Declaration	N	CEDAW shall not prejudice constitutional		

				provisions concerning succession to Spanish Crown		
	Tunisia	Declaration	N	No decision in conflict with the Constitution will be taken according to CEDAW	Germany Netherlands Sweden	Against OP
	UK	Reservation	N	No prejudice to throne, peerage, titles of honor etc.		

5. Reservations to the Convention on the Elimination of Racial Discrimination
Updated until 02/2002

ARTICLE	STATE	FORM	TYPE	SUBSTANCE	OBJECTION	GROUND
Article 1 Definition	UK	Reservation	N	Reserves the right to apply the Commonwealth Immigration Act		
	USA	Reservation	N	No obligation to enact legislation on discrimination in private sphere		
Article 2(1) Eliminating racial discrimination	USA	Reservation	N	No obligation to enact legislation on discrimination in private sphere		
	Monaco	Reservation	N	Reserves the right to apply own regulation on the access of aliens to		

				labor market		
	Switzerland	Reservation	N	Reserves the right to apply own regulation on the access of aliens to labor market		
Article 4 Propaganda	Australia	Declaration	N	Cannot apply in present but will in the future		
	Austria	Declaration	N	May not jeopardize freedom of speech		
	Barbados	Declaration	N	Will enact legislation only if needed		
	Malta	Declaration	N	Will enact legislation only if needed		
	Nepal	Declaration	N	Will enact legislation only if needed		
	Papua New Guinea	Declaration	N	Will enact legislation only if needed		
	Tonga	Declaration	N	Will enact legislation only if needed		
	UK	Declaration	N	Will enact legislation only if needed		
	Belgium	Declaration	N	Must be reconciled with freedom of speech		
	France	Declaration	N	Not obliged to enact legislation incompatible with freedom of		

				expression		
	Italy	Declaration	N	Not obliged to enact legislation incompatible with freedom of expression		
	Monaco	Reservation	N	Not obliged to enact legislation incompatible with freedom of expression		
	Fiji	Declaration	N	Will enact legislation only if government thinks it is necessary		
	Japan	Reservation	N	Subject to constitution		
	Switzerland	Reservation	N	Reserves the right to enact legislation taking due account the freedom of expression		
	USA	Reservation	N	Already protected by Constitution. No further legislation required.		
Article 5 List of rights protected	UK	Reservation	N	Does not apply in Fiji		
	Fiji	Reservation	N	Not bound (paras c; d; e; v)		
	Tonga	Reservation	N	Not bound (paras d; v)		
	Yemen	Reservation		Not bound (paras c; d: iv; v; vii)	Italy; Norway; UK Australia	Plain objection It is a reservation

					New Zealand France Belgium Sweden Canada Denmark Mexico Netherlands Germany Finland	and is against OP
Article 6 Effective Remedies	France	Declaration	N	The articles is understood in the context of ordinary law		
	Italy	Declaration	N	The articles is understood in the context of ordinary law		
	Fiji	Declaration	N	Effective remedies mean reparation **or** satisfaction		
	Malta	Declaration	N	Effective remedies mean reparation **or** satisfaction		
	Nepal	Declaration	N	Effective remedies mean reparation **or** satisfaction		
	Tonga	Declaration	N	Effective remedies mean reparation **or** satisfaction		
	UK	Declaration	N	Effective remedies mean reparation **or** satisfaction		
Article 7 Immediate and effective measures	USA	Reservation	N	Already protected by Constitution. No further legislation is		

				needed		
Article 15 Petition/ Colonial States	Fiji	Declaration	N	The article is discriminatory		
	UK	Declaration	N	The article is discriminatory		
	France			Does not change France position in Resolution General Assembly 1514		
Article 17(1) Signature	Afghanistan Belarus Bulgaria Cuba Hungary Mongolia Poland Romania Russia Ukraine Vietnam Yemen	Declaration	P	The article is discriminatory. It should be open to all States.		
Article 18(1) Accession	Afghanistan Bulgaria Cuba Hungary Poland Romania Vietnam Yemen					
Article 20 Reservation	Fiji Tonga UK					
Article 22 ICJ Jurisdiction	China Israel Spain			Not bound		

	Rwanda					
	USA			Specific US consent is needed		
	Iraq			Reserves to the compulsory jurisdiction of the ICJ		
	Cuba			Only diplomatic settlement		
	Bahrain Egypt Mozambique Nepal Saudi Arabia Syria India Kuwait Lebanon Libya Yemen Vietnam Madagascar Morocco			Express mutual consent is needed		
General	Bahamas Antigua and Barbuda Barbados	Declaration	N	Obligations do not go beyond national constitution.		

6. Reservations to the Convention on the Rights of the Child
Updated until 02/2002

ARTICLE	*STATE*	*FORM*	*TYPE*	*SUBSTANCE*	*OBJECTION GROUND*
GENERAL	Afghanistan	Reservation	N	Subject to Islam and Domestic law	
	Andorra	Declaration	N	Andorra deplores the lack of prohibition against children in armed conflict.	Netherlands doubts their commitment.
	Brunei-Darussalam	Reservation	N	Subject to Constitution, Islam, the State and religion.	Austria – general impermissible; Denmark – incompatible with OP; Finland – inadmissible; Germany – doubts commit, to CRC; Ireland – general. Italy – incompatible with OP Netherlands – doubts their commitment; Norway – contrary to OP; Portugal – doubts commitment.
	Cook Island	Declaration	N	CRC provisions are State obligations at International Law and not justiciable in domestic law.	
	Djibouti	Declaration	N	Shall not consider itself bound by articles incompatible with religion and traditional values (R).	Denmark – incompatible with OP; Ireland – doubts commit.; Netherland – doubts commitment Norway – doubts commit; Portugal – doubts commit; Sweden – doubts commit.
	Ecuador	Declaration	N	Pleased with reference to unborn child as in need of protection and will use this in interpretation of article 24;	

				disappointment at low age of recruitment of article 38.	
	Egypt	Reservation	N	Reserves as per Sharia and domestic law in relation to all matters touching and concerning adoption.	
	Germany	Declaration	N	CRC does not apply domestically and speak to State obligations in International law. Nothing in CRC to preclude the reasonable efforts to protect illegal entry into Germany.	
	Holy See	Declaration Reservation	N	That the 9th preamble will guide interpretation of CRC CRC compatible with Vatican City law .	
	Iran	Reservation	N	Subject to Islam and Shariah.	Finland – impermissible. Germany – impermissible.
	Kuwait	Reservation	N	Subject to Islam and Shariah	Czech Republic- against OP.
	Maldives	Reservation	N	Subject to Islam	
	Mauritania	Reservation	N	Subject to Islam	
	Oman	Reservation	N	As per resources	Austria – general and inadmissible Germany – doubts as to commitment to CRC; Netherlands – incompatible with OP; Saudi Arabia – contrary to OP; Sweden – doubts commitment. Finland – impermissible.
	Qatar	Reservation	N	Subject to Islam	Finland – impermissible; Germany – doubts commit.; Italy – doubts commit.; Netherland – doubts commit.; Norway – inadmissible; Portugal – broad and vague; Slovakia – incompatible with

					OP; Sweden – doubts commit.
	Saudi Arabia	Reservation	N	Subject to Islam	Austria – too general and doubts commit.; Denmark – incompatible with OP; Finland – inadmissible; Germany – doubts commit.; Ireland – general; Norway – contrary to OP; Portugal – contrary to OP; Sweden – inadmissible.
	Singapore	Reservation	N	As per Constitution/ domestic law.	Belgium – contrary to OP; Finland – contrary to OP; Germany – doubts commit.; Italy – doubts commit.; Netherland – doubts commit.; Norway – contrary to OP; Portugal – doubts commit.
	Switzerland	Declaration	N	International humanitarian law to protect child in armed conflict.	
	Tunisia	Declaration	N	As per domestic law and resources (D)	Ireland – doubts commit.
	UK and N. Ireland	Declaration	N	Definition of child.	
ARTICLE 1	Argentina	Declaration	N	'Child' means from moment of conception to age 18.	
	Botswana	Reservation	N	As per domestic law.	Denmark – against OP
	Cook Islands	Declaration Reservation	N	Provision aims to eliminate arbitrariness and not fetter the right to pursue reasonable measures as prevail in domestic societies. Reserves in so far as conferment of citizenship is per permanent residence	
	Cuba	Declaration	N	Majority not attained until 18 years.	
	Guatemala	Declaration	N	Human life begins at time of conception.	
	Indonesia	Reservation	N	Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.	Finland – doubts commit.

	Liechtenstein	Declaration	N	Minority 20.	
	Malaysia	Reservation	N	Subject to Constitution and national laws	Austria – against OP. Finland – impermissible.
	Syria	Reservation	N	Subject to Sharia	Denmark – contrary to OP; Finland – doubts commitment to CRC; Italy – incompatible with OP; Sweden – doubts commit. Germany – OP.
ARTICLE 2	Bahamas	Reservation	N	In light of Constitution re conferment of citizenship.	
	Belgium	Declaration	N	(1)non-discrimination not automatically guaranteeing foreigners same rights as nationals.	
	Cook Islands	Reservation	N	In light of domestic legislation re citizenship/ nationality.	
	Malaysia	Declaration	N	Subject to Constitution and national laws	Austria – against OP
	Syria	Reservation	N	Subject to Islam	Finland – impermissible
	Tunisia	Reservation	N	Subject to Domestic legislation	Germany – lack of clarity.
ARTICLE 3	Cook Islands	Declaration	N	To remove discriminatory pre-sovereignty laws in relation to adoption.	
	Germany	Declaration	N	Will embark on reforms to protect the right of unmarried/ divorced/ separated parents in relation to custody.	
	Luxembourg	Reservation	N	According to legislation.	
ARTICLE 4	Swaziland	Declaration	N	To the extent of resources.	
	Canada	Declaration	N	Re aboriginal peoples must take into account article 30.	
ARTICLE 5	Switzerland	Reservation	N	Domestic law.	
ARTICLE 6	China	Reservation	N	Reserves as per domestic law and constitutional.	
	Luxembourg	Declaration	N	Will not affect dom leg re abortion.	

	Tunisia	Declaration	N	Shall not impede dom leg.	
ARTICLE 7	Andorra	Declaration	N	Section 7 of Constitution – acquisition of other nationality means the loss of Andorran nationality.	
	France	Declaration	N	Will not interpret as an obstacle to termination.	
	Kuwait	Declaration	N	Subject to Domestic legislation.	
	Liechtenstein	Reservation	N	Subject to Domeestic legislation.	
	Luxembourg	Declaration	N	Interprets as no obstacle to anonymous births.	
	Malaysia	Reservation	N	Subject to Constitution and national laws	Austria – against OP. Finland – impermissible.
	Monaco	Declaration	N	Will not affect domestic legislation.	
	Oman	Declaration	N	Subject to domestic legislation.	
	Poland	Reservation	N	Subject to Domestic legislation	
	Switzerland	Reservation	N	Subject to Domestic legislation.	
	Thailand	Reservation	N	Subject to Domestic legislation.	
	Tunisia	Reservation	N	Subject to Domestic legislation.	
	United Arab Emirates	Reservation	N	Subject to Domestic legislation.	
ARTICLE 8	Andorra	Declaration	N	Section 7 of Constitution – acquisition of other nationality means the loss of Andorran nationality.	
ARTICLE 9	Bosnia and Herzegovina	Reservation	N	(1) Reserves since legislation provides for authorities to determine separation of child from its parents without previous judicial review (N).	
	Germany	Declaration	N	Reserves right to reserve/ declare on articles 9,10,18 and 22.	
	Iceland	Declaration	N	Final decisions may be taken by admin; under domestic law, all admin decisions are amenable to judicial review.	
	Japan	Reservation	N	(1) won't apply in cases of deportation.	
	Oman	Reservation	N	(4) add 'public safety'.	
	Republic of Korea	Reservation	N	Reserves	
	Slovenia	Reservation	N	Subject to domestic legislation.	

ARTICLE 10	Cook Islands	Reservation	N	In view of domestic legislation re citizenship.	
	Germany	Declaration	N	Reserves right to reserve/ declare on articles 9,10,18 and 22.	
	Japan	Declaration	N	(1) shall not affect outcome of application.	
	Liechtenstein	Reservation	N	Subject to domestic legislation	
	Switzerland	Reservation	N	Subject to domestic legislation	
ARTICLE 13	Algeria	Declaration	N	Interpret in light of dom leg. Re public morality.	
	Austria	Reservation	N	Reserves to extent that it does not affect art 10 and 11 of ECHR.	
	Belgium	Declaration	N	Reserves to extent that it does not affect art 10 and 11 of ECHR.	
	Holy See	Reservation	N	Interprets CRC to protect inalienable rights of parents re education, religion, association and privacy.	
	Kiribati	Declaration	N	Subject to Customs and tradition	
	Malaysia	Reservation	N	Subject to Constitution and national laws	Austria – against OP. Finland – impermissible.
	Poland	Declaration	N	Subject to Customs and tradition	
	Singapore	Declaration	N	Subject to Customs and tradition	
ARTICLE 14	Algeria	Declaration	N	(1) (2) To be interpreted in accordance with constitution which establishes Islam as state religion and with dom. Leg. Establishing that child's education to accord with father's religion.	
	Bangladesh	Reservation	N	Reservation to (1)	
	Belgium	Declaration	N	in accordance with art 18 ICCPR and art 9 ECHR	
	Brunei Darussalam	Reservation	N	Subject to Constitution, Islam, the State and religion.	
	Holy See	Reservation	N	Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16).	

	Indonesia	Reservation	N	Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.	
	Iran	Reservation	N	(1)Subject to Islamic Shariah	
	Jordan	Reservation	N	Subject to Sharia	Finland – impermissible; Ireland- doubts commit.; Sweden – doubts commit.
	Kiribati	Declaration	N	Subject to Customs and tradition	
	Maldives	Reservation	N	Subject to Customs and tradition	
	Malaysia	Reservation	N	Subject to Constitution and national laws	Finland – impermissible.
	Morocco	Reservation	N	Subject to Islam	Austria – against OP
	Netherlands	Declaration	N	As per art 18 ICCPR and consonant with evolving capacities.	
	Oman	Reservation	N	Reserves	
	Poland	Declaration	N	Subject to Custom and tradition	
	Singapore	Reservation	N	Subject to Customs and tradition	
	Syria	Reservation	N	Subject to Islam	Finland – impermissible.
	United Arab Emirates	Reservation	N	Subject to Islam	
ARTICLE 15	Austria	Reservation	N	Reserves subject to articles 10 and 11 of ECHR	
	Belgium	Declaration	N	As per articles 10 and 11 of ECHR	
	Holy See	Declaration	N	Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16).	
	Kiribati	Declaration	N	Subject to Customs and tradition	
	Poland	Declaration	N	Subject to Customs and tradition	
	Singapore	Declaration	N	Subject to Customs and tradition	
ARTICLE 16	Algeria	Declaration	N	Must be interpreted in light of dom leg. Re public morality	
	Holy See	Reservation	N	Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16)	
	Indonesia	Reservation	N	Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.	

	Kiribati	Declaration	N	Subject to Customs and tradition	
	Mali	Reservation	N	Subject to Domestic law	
	Poland	Declaration	N	Subject to Customs and tradition	
	Singapore	Declaration	N	Subject to Customs and tradition	
ARTICLE 17	Algeria	Declaration	N	Must be interpreted in light of dom. Leg re Public morality.	
	Austria	Reservation	N	Applied if compatible with basic rights of freedom of information and press.	
	Indonesia	Reservation	N	Must be interpreted in light of Penal Code that (CHECK) limits subject to public order etc and Information Code that limits makes information assisted by Education Board and subject to incitements against Islamic morality etc.	
	Singapore	Declaration	N	Customs and tradition	
	Turkey	Reservation	N	As per Constitution and Treaty of Lausanne 1923.	
	United Arab Emirates	Reservation	N	Subject to Tradition and Culture	Austria and Germany – impermissible.
ARTICLE 18	Germany	Declaration	N	On signing reserves right to reserve/ declare on arts. 9,10,18,22 on ratification. In spite of 3 (1) custody doesn't automatically go to parents and is decided in best interests of child (case by case). Without prejudice to national laws on a) legal rep. of minors b) rights of custody/ access to in wedlock children c) family/inheritance law status of out of wedlock children. Reforms planned.	
ARTICLE 19	Singapore	Declaration	N	Law and order legislation and no prohibition of corporal punishment.	Belgium – contrary to purpose.
ARTICLE 20	Brunei Darussalam	Reservation	N	Reserves in accordance with Constitution and Islam, the State and religion.	
	Egypt	Reservation	N	Reserves as per Sharia law and domestic	

				law.	
	Jordan	Reservation	N	Subject to Sharia	
ARTICLE 21	Argentina	Reservation	N/P	(b), (c), (d), (e) – no mechanism exists to prevent the trafficking/ sale of children.	
	Bangladesh	Reservation	N	Reserves in accordance with domestic law.	Sweden – contrary to OP.
	Brunei Darussalem	Reservation	N	In accordance with Constitution, Islam, the State and religion.	
	Canada	Reservation	N	Reserves to protect aboriginal rights as per art.30.	
	Egypt	Reservation	N	As per Sharia and domestic law.	
	Indonesia	Reservation	N	Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.	
	Jordan	Reservation	N	Subject to Sharia	
	Kuwait	Declaration	N	Subject to Islam	
	Maldives	Reservation	N	Subject to Islam	
	Oman	Reservation	N	Subject to Islam	
	Republic of Korea	Reservation	N	Reserves	
	Spain	Declaration	N	Not construed to permit financial benefits from adoption.	
	Syria	Reservation	N	Subject toIslam	Finland - impermissible
	United Arab Emirates	Reservation	N	Subject to Islam	
	Venezuela	Declaration	N	International adoption only/ no financial gain for adoption.	
ARTICLE 22	Germany	Reservation	N	Reserves right to reserve/ declare on articles 9,10,18 and 22.	
	Indonesia	Reservation	N	Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.	
	Netherlands	Declaration	N	In light of 1951 Geneva Convention.	
	Thailand	Reservation	N	Dom leg.	
ARTICLE 24	Argentina	Declaration	N	(f) Family planning is within moral and ethical purview of parents and State has positive obligation to guide parents.	
	Holy See	Reservation	N	Will interpret family planning as natural methods.	
	Kiribati	Reservation	N	Reserves	

	Poland	Declaration	N	As per morality	
ARTICLE 26	Kiribati	Reservation	N		
	Malta	Reservation	N	Subject to domestic law	
	Netherlands	Reservation	N	No independent entitlement to social security.	
ARTICLE 28	Holy See	Reservation	N	Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16).	
	Kiribati	Reservation	N		
	Samosa	Reservation	N	1 (a) will provide resources to ensure	
	Singapore	Reservation	N	1 (a) confined to Singaporean children with citizenship.	
ARTICLE 29	Indonesia	Reservation	N	Arts 1,14,16,17,21,22,29 to be interpreted in light of constitution.	
	Turkey	Reservation	N	As per Constitution and Treaty of Lausanne 1923.	
ARTICLE 30	Canada	Declaration	N	Art 4 to be read in conjunction with art 30	
	France	Declaration	N	Not applicable in France in light of article 2	
	Oman	Reservation	N		
	Turkey	Reservation	N	As per Constitution and Treaty of Lausanne 1923.	
	Venezuela	Declaration	N	Art 2 applies	
ARTICLE 32	Iceland	Declaration	N	2 (a) undertakes to enact legislation accordingly	
	India	Reservation	N	Will progressively implement.	
	New Zealand	Reservation	N	As per existing law.	
	Singapore	Reservation	N	Specific provision for child labourers between 12-16.	
	UK and N.Ireland	Reservation	N	As per domestic law of dependent territories except for Hong Kong whose law makes provisions for 'young persons' above 15/ below 18.	

ARTICLE 37	Australia	Reservation	N	Subject to the feasibility of honouring the provision having regard to its demography and geography.	
	Cook Islands	Reservation	N	Subject to what is feasible.	
	Iceland	Reservation	N	Place of imprisonment of juveniles will be determined having regard to best interest of child since it is not obligatory at domestic law for separation of children and adults.	
	Japan	Reservation	N	Separation only general.	
	Netherlands	Reservation	N	As per domestic law	
	New Zealand	Reservation	N	As per facilities	
	Singapore	Declaration	N	Law and order legislation and corporal punishment.	Belgium – contrary to OP
	Switzerland	Reservation	N	No guarantees in separation.	
	UK and N. Ireland	Reservation	N	As per facilities (also independent territories).	
ARTICLE 38	Andorra	Declaration	N	Disagrees (2), (3).	
	Argentina	Declaration	N	Should be no children in armed conflict as per domestic law.	
	Austria	Declaration	N	(2) incompatible with best interests of child as per 3 (1). (3) only male Austrian citizens liable to compulsory military service.	
	Columbia	Declaration Reservation	N N	Age of recruitment should be 18 (2), (3) reserves in so far as the age of recruitment in Columbia is 18 (R)	
	Germany	Declaration	N	Age inconsistent with art 3 (1)	
	Netherlands	Declaration	N	Age should be above 15	
	Spain	Declaration	N	Should be higher	
	Uruguay	Reservation	N	18 years for recruitment	
ARTICLE 40	Belgium	Declaration	N	According to law to preclude circumstances where juvenile tried as adult.	
	Denmark	Reservation	N	Reserves for circumstances where jury	

				decides on guilt and this has not been disturbed by legally trained judges.	
	France	Declaration	N	Exceptions to non-appealable criminal offences; decisions by final court of jurisdiction may be appealed on the grounds of legality of decision taken.	
	Germany	Reservation	N	(2) (b) (ii) (v) there shall not in all the circs be a) a right to legal or other appropriate assitance in preparation of defence and/or b) an obligation to have a non-custodial offence reviewed by higher judicial body.	
	Monaco	Reservation	N	As per domestic law	
	Netherlands	Reservation	N	Without legal representation and judicial review as per law	
	Republic of Korea	Reservation	N	(2) (b) (v) reserves	
	Switzerland	Reservation	N	As per domestic law	
	Tunisia	Reservation	N	(2) (b) (v) as per domestic law	
ARTICLE 41	Netherlands	Declaration	N	Protection of children in war.	